

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CYNTHIA DAVIS,
Plaintiff,
v.

**CITY AND COUNTY OF
PHILADELPHIA, *et al.*,**
Defendants.

: CIVIL ACTION
:
:
:
:
:
: No. 12-1827

ORDER

AND NOW, this 11th day of January, 2013, upon consideration of Defendant City and County of Philadelphia's Motions to Dismiss (Docket Nos. 8, 10), Plaintiff's opposition thereto (Docket No. 11), the City's Motion for Leave to File a Reply (Docket No. 12), Defendants Ritz-Carlton Philadelphia, Marriott International, and Ritz-Carlton Hotel Co., LLC's Motion to Dismiss (Docket No. 13), Plaintiff's opposition thereto (Docket No. 14), and Defendants' reply (Docket No. 15), it is hereby **ORDERED** that:

1. The City's Motion for Leave to File a Reply (Docket No. 12) is **GRANTED**, and the Reply attached to the Motion is deemed filed;
2. The City's Motion to Dismiss the Plaintiff's Complaint (Docket No. 8) and the Defendants' Motion to Dismiss (Docket No. 13) are deemed **MOOT**;
3. The City's Motion to Dismiss the Plaintiff's Amended Complaint (Docket No. 10) is **GRANTED**. Count I of Ms. Davis's Amended Complaint is **DISMISSED with prejudice**, and all other Counts of her Amended Complaint are **DISMISSED without prejudice**;
4. Judgment is hereby entered in favor of Defendant City of Philadelphia and against Plaintiff as to Count I; and

5. The Clerk of Court shall mark this case as **CLOSED** for all purposes, including statistics.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE